

08-27-01

Please type a plus sign (+) inside this box → +

PTO/SB/05 (08-00) (modified)

Approved for use through 9/30/2001, OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCEJC799 U.S. PTO  
08/24/01C979 U.S. PTO  
08/24/01

**NEW UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(only for new nonprovisional applications under  
37 CFR 1.53(b))

<b>APPLICATION ELEMENTS</b>		<b>ACCOMPANYING APPLICATION PARTS</b>	
<p>1. <input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate)</p> <p>2. <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p> <p>3. <input checked="" type="checkbox"/> Specification <span style="border: 1px solid black; padding: 2px;">Total Pages 61</span> (preferred arrangement set forth below)  <input checked="" type="checkbox"/> Descriptive Title of the Invention  <input checked="" type="checkbox"/> Cross References(s) to Related Case(s)  <input checked="" type="checkbox"/> Statement Regarding Fed sponsored R &amp; D  <input checked="" type="checkbox"/> Background of the Invention  <input checked="" type="checkbox"/> Brief Summary of the Invention  <input checked="" type="checkbox"/> Brief Description of the Drawing(s)  <input checked="" type="checkbox"/> Detailed Description  <input checked="" type="checkbox"/> Claim or Claims  <input checked="" type="checkbox"/> Abstract of the Disclosure</p> <p>4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) <span style="border: 1px solid black; padding: 2px;">Total Sheets 13</span></p> <p>5. Oath or Declaration        a. <input type="checkbox"/> New Declaration <span style="border: 1px solid black; padding: 2px;">Total Pages _____</span>  <input type="checkbox"/> Executed (original or copy)</p> <p>b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 18 completed)</p> <p>i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</p> <p>6. <input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76</p>		<p>7. <input type="checkbox"/> Assignment Papers (cover sheet &amp; document(s))</p> <p>8. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)</p> <p>9. <input type="checkbox"/> Power of Attorney or Authorization of Agent</p> <p>10. <input type="checkbox"/> 37 CFR 3.73(b) Statement</p> <p>11. <input type="checkbox"/> Preliminary Amendment</p> <p>12. <input type="checkbox"/> Information Disclosure Statement &amp; PTO-1449 <input type="checkbox"/> Copies of IDS Citation(s)</p> <p>13. <input checked="" type="checkbox"/> Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent</p> <p>14. <input checked="" type="checkbox"/> Return Postcard</p> <p>15. <input type="checkbox"/> _____</p> <p>16. <input type="checkbox"/> _____</p> <p>17. <input type="checkbox"/> _____</p>	
<b>ADDRESS TO:</b>			
Box Patent Application Commissioner for Patents Washington, DC 20231			

18. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information below and in a preliminary amendment or in an Application Data Sheet under 37 CFR 1.76:

Continuation  Divisional  Continuation-in-part (CIP) of prior application No: 09/573,583

Prior application information: Examiner: Stamber, Eric W. Group/Art Unit: 2162

For **CONTINUATION OR DIVISIONAL APPS only**: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuing or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

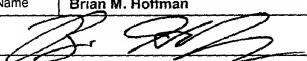
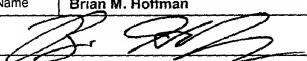
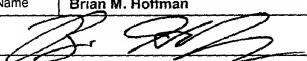
**19. CORRESPONDENCE ADDRESS**



Customer Number and Bar Code Label

00758

Name (Print/Type)	Brian M. Hoffman	Registration No. (Attorney/Agent)	39,713
Signature			Date August 24, 2001

0002/PTO(modified)	U.S. Department of Commerce			Complete if Known																																																																																																																																																																																								
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<p>1. The Commissioner is hereby authorized to:</p> <p><input type="checkbox"/> Charge the indicated fees to the below mentioned deposit account.</p> <p><input type="checkbox"/> Charge any additional fee required under 37 CFR 1.16 - 1.21 or credit any over payments to the below mentioned deposit account.</p> <p><input checked="" type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27</p>				<p>3. 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Number 39,713</td> </tr> <tr> <td colspan="2">Signature</td> <td colspan="2"></td> <td>Date</td> <td colspan="3">August 24, 2001</td> </tr> </tbody></table>				Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description	Fee Due	105/\$130	205/\$65	Surcharge - late filing fee or oath		127/\$50	227/\$25	Surcharge-late provisional filing fee or cover sheet		147/\$2,520	147/\$2,520	For filing a request for reexamination		115/\$110	215/\$55	Extension for response within first month <sup>†</sup>		116/\$390	216/\$195	Extension for response within second month <sup>†</sup>		117/\$890	217/\$445	Extension for response within third month <sup>†</sup>		118/\$1,390	218/\$695	Extension for response within fourth month <sup>†</sup>		128/\$1,890	228/\$945	Extension for response within fifth month <sup>†</sup>		119/\$310	219/\$155	Notice of Appeal		141/\$1,240	241/\$620	Petition to revive unintentionally abandoned application		142/\$1,240	242/\$620	Utility Issue Fee (Or Reissue)		143/\$440	243/\$220	Design Issue Fee		122/\$130	122/\$130	Petitions to the Commissioner		126/\$180	126/\$180	Submission of Information Disclosure Statement		179/\$710	279/\$355	Request for Continued Examination (RCE)		581/\$40	581/\$40	Recording each patent assignment per property (times number of properties)		146/\$710	246/\$355	Filing a submission after final rejection (37 CFR 1.129(a))		149/\$710	249/\$355	For each additional invention to be examined (37 CFR 1.129(b))		Other fee (specify):				Other fee (specify):				<b>SUBTOTAL (1) (\$ 355)</b>				<b>SUBTOTAL (3) (\$ 0)</b>				<p>2. 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\* Request for Extension of Time per 37 CFR 1.136 (a)(3) made hereby

EXPRESS MAIL NO. EL550795775US

PTO/SB/35 (11-00)  
Approved for use through 10/31/2002, OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REQUEST AND CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor James M. Gill et al.

Title FREIGHT RATE MANAGER

Atty. Docket Number 22725-05869

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

August 24, 2001

Date



Signature

Brian M. Hoffman, Reg. No. 39,713

Typed or printed name/Registration Number

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.